

In re Application of: Abraham KRIBUS et al.
Serial No.: 10/556,341
Filed: April 17, 2007
Office Action Mailing Date: January 20, 2010

Examiner: Stephen Michael GRAVINI
Group Art Unit: 3743
Attorney Docket: 30903
Confirmation No.: 8459

REMARKS

Reconsideration of the above-identified application in view of the amendments above and the remarks following is respectfully requested.

Claims 70-107 are currently pending, of which claims 90-101 are withdrawn.

Claims 70-89 and 102-107 are rejected under 35 U.S.C. §103(a).

Claim 70 has been amended to recite "said at least one solar radiation concentrator configured to achieve at least 200 suns concentrating ratio..." It is submitted that no new matter has been added by this amendment, and that support therefor may be found in the Application, for example, at page 7, line 25. A similar amendment has been made to claim 90 and new claim 108 has been added. Finally, in view of the amendment to claim 70, claim 82 has been canceled and claim 83 has been amended to depend from claim 70.

Claim Rejections – 35 U.S.C. §102

In the Office Action, claims 70-89 and 102-107 were rejected under 35 U.S.C. §103(a) as being unpatentable over Strauss et al. (U.S. Patent No. 3,427,093). Applicants respectfully traverse this rejection.

In response, it is submitted that claims 70-81, 83-89 and 102-107 are patentable, as there is no prima facie basis for the Examiner's assertion that these claims are anticipated by the teachings of Strauss et al., in the light of arguments set forth below.

Strauss et al. teach a light intensity modulator in a solar simulator unit, not a solar power system including a solar tracking apparatus, as recited in amended claim 70. The device to Strauss et al. **does not track the sun**, nor is it able to track the sun and concentrate solar radiation. Instead, the device is used to modulate the intensity of light radiated from a variety of sources of thermal, visible, and ultraviolet radiation, the sources associated with high heating rates.

It may be noted that the portions of the ref. indicated by the Examiner (which he says discloses a solar tracking device including a drive) actually deal with rotating cylinders that adjust the size of an opening for light rays. These cylinders do not track the sun, nor are they able to track the sun.

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Additionally, Strauss et al. state that their device enables variation of the emitted radiant intensity over a range from 0-100% of the rated intensity (column 1, line 15), and thereby teaches away from the claimed invention, which is "configured to achieve at least 200 suns concentrating ratio."

Further, the device to Strauss et al. includes mirrors which collimate light (create a parallel beam) from a light source. They do not concentrate light from the sun, nor is there any component which acts or can act as a "solar radiation concentrator," as recited in amended claim 70.

Yet further, Strauss et al. do not teach a "power conversion unit" (recited in amended claim 70), either for heat or electricity. Instead, the solar cell taught by Strauss et al. is only a sensor to help control the light intensity. Even if Strauss et al. were to consider incorporating a power conversion element in their device, there is no obvious location to place such an element, since the light output is collimated (spread over a wide area) rather than focused to a small region.

Yet further, the cooling means mentioned in the Strauss et al. reference is for the protection of the light adjustment mechanism (11, 12), not part of a power conversion unit (claim 87).

In light of the above, it is submitted that amended independent claim 70 is not anticipated by Strauss et al. and is, therefore, allowable. It is further submitted that claims 71-81, 83-89 and 102-207 are allowable, as they depend from allowable independent Claim 70.

All of the issues raised by the Examiner have been dealt with. In view of the foregoing, it is submitted that all the claims now pending in the application are allowable. An early Notice of Allowance is therefore respectfully requested.

Respectfully submitted,

/Jason H. Rosenblum/

Jason H. Rosenblum
Registration No. 56,437
Telephone: 718.246.8482

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